

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

JERMAINE WINN,

Plaintiff

v.

PHILADELPHIA PRISON SYSTEMS;
STATE CORRECTIONAL INSTITUTION
GRATERFORD;
CORRECTIONAL CARE SOLUTIONS; and
DR. JOHNSON, *Willis Eye Institute (Phila)*,

Defendants.

No. 2:16-cv-05275

ORDER

And now, this 1st day of February, 2017, for the reasons set forth in the accompanying Memorandum Opinion issued this day, **IT IS ORDERED** as follows:

1. Plaintiff's Motion for Leave to Proceed En [sic] Forma Pauperis, ECF No. 1, is **GRANTED**.
2. Plaintiff Jermaine Winn, #LL-3407, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information that Winn provided with his application, **an initial partial filing fee of \$4.03 is assessed**. The Superintendent or other appropriate official at the State Correctional Institution at Pine Grove or at any other prison at which Winn may be incarcerated is directed to deduct \$4.03 from Winn's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 16-5275. After the initial partial filing fee is collected and until the full filing fee is paid, the Superintendent or other appropriate official at the State Correctional Institution at Pine Grove, or at any other prison at which Winn may be incarcerated, shall deduct from Winn's account, each time that his inmate trust fund account exceeds \$10, an amount no greater than 20 percent of the money credited to his account during the preceding month and forward that amount to the

Clerk of Court at the address provided above to be credited to Civil Action No. 16-5275.

3. The Clerk of Court is directed to send a copy of this order to the Superintendent of the State Correctional Institution at Pine Grove.
4. Winn's complaint is **DISMISSED** for failing to state a claim. His claims against the Philadelphia Prison System and the State Correctional Institution at Graterford are **DISMISSED WITH PREJUDICE**, and his remaining claims are **DISMISSED WITHOUT PREJUDICE**.
5. Winn shall have until **March 1, 2017**, to file an amended complaint, if he wishes. If Winn files an amended complaint, **he must name all defendants in the caption of the amended complaint** in addition to identifying them in the body of the amended complaint. Any amended complaint **must also state the basis for his claims against each defendant and must state when the events giving rise to his claims occurred**.
6. If Winn files an amended complaint, the Clerk of Court shall not effect service until ordered by the Court.

BY THE COURT:

/s/ Joseph F. Leeson, Jr. _____
JOSEPH F. LEESON, JR.
United States District Judge